

**AN ORDINANCE  
BY: ZONING COMMITTEE**

**AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY AMENDING THE USE CHART FOR SPI-21 HISTORIC WEST END/ADAIR PARK SPECIAL PUBLIC INTEREST DISTRICT SO AS TO PROVIDE THAT CHURCHES AND SYNAGOGUES ARE ADDITIONAL PERMITTED USES WITHIN SUB-AREAS 1, 2, 3, 4, 8 & 9; SO AS TO REMOVE CHURCHES AND SYNAGOGUES AS A PERMITTED USE IN SUB-AREA 7; SO AS TO ELIMINATE THE DISTINCTION BETWEEN LOT SIZE FOR CHURCHES AND SYNAGOGUES WITHIN ALL SUB-AREAS; SO AS TO REQUIRE MUSEUMS, ART GALLERIES, LIBRARIES, CHILDCARE CENTERS AND KINDERGARTENS TO OBTAIN A SPECIAL USE PERMIT IN SUB-AREAS 5 & 6; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Religious Land Use and Institutionalized Persons Act (RLUIPA) requires that local land use regulations treat a religious place of assembly on no less than equal terms with non-religious places of assembly; and

**WHEREAS**, by amending the use chart to the SPI-21 Historic West End/Adair Park Special Public Interest District religious places of assembly and non-religious places of assembly will be on equal terms within all sub-areas; and

**WHEREAS**, these amendments to the SPI-21 Historic West End/Adair Park Special Public Interest District will still require both religious places of assembly and non-religious places of assembly to obtain a special use permit within the residential sub-areas 5 & 6 and will no longer allow any place of assembly within residential sub-area 7.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:**

**Section 1:** That various uses permitted within the SPI-21 Historic West End/Adair Park Special Public Interest district be amended in the following manner:

(1) That the table which follows Section 16-18U.008 of the Atlanta Zoning Ordinance, SPI-21 Historic West End/Adair Park Special Public Interest district, and which indicates that "Churches and synagogues (net lot area greater than 1 acre)" is a use permitted only by special use permit in Sub-areas 1, 2, 3, 4, 8 & 9 be amended by striking the existing "SUP" and replacing it with an "P" so as indicate that such use is permitted within sub-areas 1, 2, 3, 4, 8 & 9 of the district.

(2) That the table which follows Section 16-18U.008 of the Atlanta Zoning Ordinance, SPI-21 Historic West End/Adair Park Special Public Interest district, and which indicates that "Churches and synagogues (net lot area greater than 1 acre)" is a use permitted only

by special use permit in Sub-area 7 be amended by striking the existing “SUP” and replacing it with an “X” so as indicate that such use is not permitted within sub-area 7 of the district.

(3) That the table which follows Section 16-18U.008 of the Atlanta Zoning Ordinance, SPI-21 Historic West End/Adair Park Special Public Interest district, and which contains the row entitled “Churches and synagogues (net lot area less than or equal to 1 acre)” and which further permits such use within all sub-areas only by way of special exception (SE) be amended by deleting the entire row from the table.

(4) That the table which follows Section 16-18U.008 of the Atlanta Zoning Ordinance, SPI-21 Historic West End/Adair Park Special Public Interest district, and which contains the row entitled “Churches and synagogues (net lot area greater than 1 acre)” be amended by striking such title and replacing it with the title “Churches and synagogues”.

(5) That the table which follows Section 16-18U.008 of the Atlanta Zoning Ordinance, SPI-21 Historic West End/Adair Park Special Public Interest district, and which indicates that “Museums, art galleries, libraries” are uses permitted in sub-areas 5 & 6 (not exceeding 8,000 sq. ft. of floor area) be amended by striking the existing “P” and replacing it with an “SUP” so as indicate that such use is only permitted with a special use permit within sub-areas 5 & 6 (not exceeding 8,000 sq. ft. of floor area) of the district.

(6) That the table which follows Section 16-18U.008 of the Atlanta Zoning Ordinance, SPI-21 Historic West End/Adair Park Special Public Interest district, and which indicates that “Childcare centers and kindergartens” are uses permitted in sub-areas 5 & 6 be amended by striking the existing “P” and replacing it with an “SUP” so as indicate that such use is only permitted with a special use permit within sub-areas 5 & 6 of the district.

**Section 2:** That any ordinance or parts of ordinances in conflict are repealed to the extent of the conflict.